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<b>Subject:</b>	RE: Follow up
<b>From:</b>	Lucie Allaire (Lucie.Allaire@uOttawa.ca)
<b>To:</b>	n7ali@yahoo.ca;
<b>Cc:</b>	case.cresac@sfuo.ca;
<b>Date:</b>	Wednesday, May 1, 2013 10:25:37 AM

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Hi Nicholas,

I am not sure I understand your viewpoint, it is probably a good idea for you to discuss this with Mireille on Monday when she returns.

It is in fact my understanding that the Dean will not be part of the decision making process of the Committee and that the process will be chaired by the Vice-Dean. The vice-Dean will be discussing process with the Executive Committee next Tuesday as this is a circumstance that is apparently quite rare. You can be made aware of the details on how the Executive Committee will be running the process for your appeal, and I think you should ask to know either immediately before your hearing next Tuesday, or in time for the June meeting if you agree to delay until then. The minutes should also clearly indicate how the process was handled.

I am satisfied that the Faculty is fully aware of the principles in play here, that the Vice-Dean understand that the Dean should not be part of decision-making process and also that you will be made aware of how they proceeded; this gives you an opportunity to challenge the process in front of the Senate Appeals Committee, if in fact you and your representative believe that it was not handled fairly. Probably best at this point to discuss the matter with Mireille when she returns on Monday and decide what you want to do. From my end, I don't believe there is any more clarification that I can obtain for you.

I remain available after you speak with Mireille on Monday for any further questions,

Does that work for you?

Lucie

Lucie Allaire

Ombudsman

UCU307

613-562-5800 poste 6599

[www.uottawa.ca/ombudsman](http://www.uottawa.ca/ombudsman)

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**From:** Nicholas Ali [mailto:n7ali@yahoo.ca]  
**Sent:** Wednesday May 1, 2013 9:54 AM  
**To:** Lucie Allaire  
**Cc:** 'case.cresac@sfuo.ca'  
**Subject:** Re: Follow up

Thank you Lucie. There is a conflict of interest especially given the Dean has input into the deliberations prior to and after the meeting being held. I am also surprised that this process seems new and "exceptional" to the University of Ottawa. Is this the first time that the Dean of FGPS has failed a student and the student decided to appeal his decision?

It is irrelevant if the Dean is in the room when I am there. What is, and continues to be my concern, which is not addressed in your email, is whether or not the Dean will be a part of the decision making process of the executive committee in my appeal. As I understand from your email the Dean's input will still be a part of the decision making in my appeal. Does this not qualify as a conflict of interest as the Dean has already made a decision on my case? It is not enough that the Dean be absent from my appeal hearing when I am present, rather how can the Dean be both a part of the panel and defend his points in this case? Logically, the Dean should occupy solely one position. Think of the legal/court setting, there is a jury (executive committee), the defendant (myself) and the prosecutor (Ross Hastings). Dean Hastings cannot be a part of the jury and prosecutor at the same time. Can you please confirm that this will be the case? Also, why does the Dean refuse to recuse himself? There continues to be a little transparency and no full disclosure in my case. Can you help me?

Sincerely,

Nicholas

**From:** Lucie Allaire <[Lucie.Allaire@uOttawa.ca](mailto:Lucie.Allaire@uOttawa.ca)>  
**To:** Nicholas Ali <[n7ali@yahoo.ca](mailto:n7ali@yahoo.ca)>  
**Cc:** "case.cresac@sfuo.ca" <[case.cresac@sfuo.ca](mailto:case.cresac@sfuo.ca)>  
**Sent:** Tuesday, April 30, 2013 5:11:41 PM  
**Subject:** RE: Follow up

Hi Nicholas,

I have just spoken to the Vice Dean of the Faculty, Tim Stanley, about the matter and am able to provide you with the following information on your questions about process.

- 1) The Vice Dean has been designated as the Chair of the meeting with respect to hearing your appeal. I think your appeal is being heard next Tuesday?
- 2) The Vice Dean will recommend to the Executive Committee that the Dean not be present for the decision; please note that the Committee will discuss and decide on the process to be followed exceptionally under the circumstances including when the Dean will be in the room and when he will be leaving.
- 3) The minutes of the Committee meeting will clearly indicate when the Vice Dean takes over as the Chair of the meeting and when the Dean leaves the meeting; if you later disagree with how the process was handled by the Faculty, you can challenge their decision on process at the Senate Appeals Committee.
- 4) If it is important for you to know ahead of the meeting when the Dean will be in the room, you have two options to be informed ahead of your appearance in front of the committee: 1) delay the hearing of your appeal to their June meeting or 2) once the Committee determines process at their next meeting on Tuesday, you could be informed slightly ahead of time, perhaps 30 minutes or so. If you chose to accept to delay your appeal to the June meeting, you would need to send an email indicating that you agree with the delay.

The Faculty is aware of principles at play here and are prepared to inform you ahead of time (point 4) as you wish.

If you have any questions, please contact me.

Kind regards,

Lucie

Lucie Allaire  
Ombudsman  
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**From:** Nicholas Ali [<mailto:n7ali@yahoo.ca>]  
**Sent:** Tuesday April 30, 2013 9:00 AM  
**To:** Lucie Allaire  
**Cc:** 'case.cresac@sfuo.ca'  
**Subject:** Follow up

Dear Lucie:

I do hope all is well at your end and this message finds you in good spirits. This is a gentle reminder to follow up to our email below, as well as given May 7th is fast approaching, please assist us with

resolving our expressed concerns. I look forward to hearing from you.

Kind regards,

Nicholas

**From:** Lucie Allaire <[Lucie.Allaire@uOttawa.ca](mailto:Lucie.Allaire@uOttawa.ca)>  
**To:** "case.cresac@sfuo.ca" <[case.cresac@sfuo.ca](mailto:case.cresac@sfuo.ca)>  
**Cc:** "n7ali@yahoo.ca" <[n7ali@yahoo.ca](mailto:n7ali@yahoo.ca)>  
**Sent:** Monday, April 22, 2013 5:07:09 PM  
**Subject:** Re: FW: update

I don't know at this point, I expect from Mme Moriarty early next week and will get back to you then.  
Lucie

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**De :** Mireille Gervais [<mailto:case.cresac@sfuo.ca>]  
**Envoyé :** Monday, April 22, 2013 04:02 PM Eastern Standard Time  
**À :** Lucie Allaire  
**Cc :** Nicholas Ali <[n7ali@yahoo.ca](mailto:n7ali@yahoo.ca)>  
**Objet :** Re: FW: update

Dear Lucie,

Thank you very much for this information. Can you let us know who will chair the meeting during Nicholas' appeal?

Thank you,  
Mireille

**Mireille Gervais**

Directrice et Agente principale des recours étudiants  
Director and Senior Student Appeal Officer  
Centre de recours étudiant / Student Appeal Centre  
[case.cresac@sfuo.ca](mailto:case.cresac@sfuo.ca)  
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fax: 613-562-5767  
UCU 101  
<http://www.appeals.sfu.ca/>

On Mon, Apr 22, 2013 at 2:46 PM, Lucie Allaire <[Lucie.Allaire@uottawa.ca](mailto:Lucie.Allaire@uottawa.ca)> wrote:

Hi Mr Ali  
I think your earlier email probably missed mine below by a few minutes.

Lucie Allaire  
Ombudsman  
UCU307

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[www.uottawa.ca/ombudsman](http://www.uottawa.ca/ombudsman)

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**From:** Lucie Allaire  
**Sent:** Monday April 22, 2013 2:16 PM  
**To:** 'Nicholas Ali'  
**Cc:** 'Mireille Gervais'  
**Subject:** update

Good day Mr Ali,

Just a quick note to let you know that I have talked to Mrs Moriarty about the matter you brought to my attention, raised some questions. She is planning to discuss it with the person who would be chairing this particular appeal next week ( this person is away this week) and then she will get back to me with how this process will unfold.

Thank you for your patience,

Lucie

Lucie Allaire  
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